

**РОО «Московская группа содействия выполнению Хельсинкских соглашений». Основана 12 мая 1976 года.**

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Madame Anne Brasseur  
President  
Parliamentary Assembly of the Council  
of Europe - Palais de l'Europe  
67075 Strasbourg Cedex

Moscow, the 15<sup>th</sup> of March 2014

Dear Madam President,

The Moscow Helsinki Group has a longstanding history of defending Human Rights and a quite important expertise in that field.

We would like to draw your attention on the report written by Mr Rudy Salles, French member of the Assembly, and the draft resolution and recommendations that are going to be voted upon at the second part of the plenary session 2014, "The protection of minors against excesses of sects".

This report in our views poses tremendous problems against basic international standards with regards to human rights.

Protecting children is a very important matter, and every effort in that direction should be supported. However, the resolution and recommendation contained in the report will do exactly the opposite.

The right of parents to educate children accordingly to their own belief is a fundamental right protected by the European Convention on Human Rights, as well as the right to choose one's own religion. No distinction should be made between "traditional" religions and "non-traditional" religions and labelling a group as a "sect" is obviously an effort to make a distinction between "good" and "bad" religions.

In that report, it is clear that what is called a "sect" is a religious minority as opposed to a "traditional" religion. See the illustration of this in point 43: "*When it comes to preventing and combating excesses of sects, some Council of Europe member states grant significant leeway to civil society and the "traditional" churches (Catholic, Orthodox and Protestant). In this case, it is necessary to provide these stakeholders with sufficient resources for effectively performing their tasks in terms of advising and assisting the victims of such excesses and their relatives.*"

This will lead to mere discrimination where "traditional Churches" will receive money by the States with the purpose to discriminate against religious minorities as it has already happened in Russia. This has even led to children sent to "reform" psychiatric camps as it was the case under the Soviet Union. When that path is followed, it is the concept of freedom itself that is at stake.

Moreover, in OSCE/ODHIR/Venice Commission *Guidelines for Review of Legislation Pertaining to Religion or Belief*<sup>1</sup>, it's written:

2. *The definition of "religion." Legislation often includes the understandable attempt to define "religion" or related terms ("sects", "cults", "traditional religion", etc.). There is no generally accepted definition for such terms in international law, and many States have had difficulty defining these terms. It has been argued that such terms cannot be defined in a legal sense because of the inherent ambiguity of the concept of religion. A common definitional mistake is to require that a belief in God be necessary for something to be considered a religion. The most obvious counterexamples are classical Buddhism, which is not theistic, and Hinduism, which is polytheistic. In*

<sup>1</sup> <http://www.osce.org/odhr/13993>